

March 14, 2012

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, March 14, 2012, at 3:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

PABLO CUEVAS, Election District #1
FREDERICK E. EBERLY, Election District #2
DEE E. FLOYD, Election District #3
WILLIAM B. KYGER, JR., Election District #4
MICHAEL A. BREEDEN, Election District #5

Also present:

BRYAN F. HUTCHESON, Sheriff
DOUGLAS L. GEIB, Registrar

JOSEPH S. PAXTON, County Administrator
THOMAS H. MILLER, JR., County Attorney
STEPHEN G. KING, Deputy County Administrator
JAMES L. ALLMENDINGER, Director of Finance
BARRY E. HERTZLER, Director of Public Works
KATHARINE S. McQUAIN, Director of Recreation
TERRI M. PERRY, Director of Technology
STEPHEN N. RIDDLEBARGER, Director of Human Resources
ROBERT A. SYMONS, Fire & Rescue Chief
WILLIAM L. VAUGHN, Director of Community Development
DIANA C. STULTZ, Zoning Administrator
GRETCHEN M. SALLAH, Deputy Clerk
DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Chairman Kyger called the meeting to order at 3:00 p.m.

Chairman Kyger asked for a moment of silence in honor of Dr. Harry Jopson, former County School Board member, Bridgewater Town Councilmember, and Biology professor at Bridgewater College for 45 years who passed away on March 9, 2012. Mr. Jopson, a dedicated member of the community, was 100 years old.

Supervisor Cuevas gave the Invocation and Finance Director Allmendinger led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

On motion by Supervisor Floyd, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the minutes of the regular meeting of February 15, 2012.

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REPORT – BLUE RIDGE COMMUNITY COLLEGE.

Dr. John A. Downey, President, Blue Ridge Community College (BRCC), thanked the Board for its support and appointment of County representatives Rodney Alderfer and Jean Gearing to the school's Board of Directors.

During his presentation, Dr. Downey stated that 23 percent of County high school graduates attend Blue Ridge Community College. He stated they have been working with area high schools to encourage students to enroll in college-track courses to prepare them for college and while enrollment at BRCC has declines slightly, they still have record levels of enrollment. There was a boost to enrollment following the U.S. Trade Act, when students received federal aid for attending a two-year trade school program.

Dr. Downey reported that the campus is seeking to add a biosciences building and is working with Merck to create a bioscience program in response to local employment needs similar to the aviation maintenance program created in recent years. The manufacturing workforce is moving toward high-tech skills and the college is working to meet their demands through programs suited to local employers, he said.

In response to Chairman Kyger, Dr. Downey stated that about 18 percent of the students enrolled at Blue Ridge Community College come from outside of the service area, many of them to attend the veterinary technician and aviation maintenance programs. A significant number of students transfer to James Madison University after two years and other students work and attend school.

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RESOLUTIONS.

Supervisor Cuevas said he was honored to celebrate the “positive life and great contribution” made by Bergton resident William Davis Moyers, who turned 100 years old on March 13, 2012. Mr. Moyers and his family, who were not in attendance, had celebrated his birthday a day earlier and Supervisor Cuevas presented him with a framed resolution.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board adopted the following resolution:

RESOLUTION

WHEREAS, William Davis Moyers, a longtime Rockingham County resident, having been born in a small log cabin during a snow storm on March 13, 1912, will turn 100 years of age today; and

WHEREAS, Mr. Moyers, was the youngest of four boys in a family of six children born to Jesse and Mary Ann (Pugh) Moyers in the area now known as Bergton; and

WHEREAS, Mr. Moyers and his brothers worked as farmers before he left for Washington, D.C. to attend welding school and become a machinist, and later a millwright who worked on turbines for the Pentagon and numerous power plants around the D.C. area; and

WHEREAS, Mr. Moyers lived for many years in Northern Virginia where, in 1939 he married Arvilla Vaughan, also from the Bergton area, raised two daughters, Alice of Fairfax and Ruth Ellen of Washington state; and

WHEREAS, the Moyers kept a hunting cabin on land adjacent to the National Forest and visited family in the Bergton area often; and

WHEREAS, upon Mr. Moyers’ retirement in 1978, he purchased land from Arvilla’s father, Bernie Vaughan and built their family home in Bergton; and

WHEREAS, Mr. Moyers, a deacon at Broadway Baptist Church, who told the *North Fork Journal* he credits his long life to his strong faith, moderate living and “a good bit of luck” will become a centenarian when he celebrates his 100th birthday today.

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby recognizes and celebrates the 100th birthday of Rockingham County resident William Davis Moyers.

Administrator Paxton read the resolution honoring Lowell Hertzler who has been a member of the County's Electoral Board since 1983.

On motion by Supervisor Cuevas, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board adopted the following resolution:

RESOLUTION

WHEREAS, Lowell Hertzler has served as a member of the Rockingham County Electoral Board since March 1, 1983; and

WHEREAS, during Mr. Hertzler's term on the Board there were seven presidential and seven gubernatorial elections, the number of registered voters in the County increased from 19,514 to 45,068, and the County was redistricted three times in 1991, 2001 and most recently in 2011; and

WHEREAS, during Mr. Hertzler's term, all seven of the towns in the County moved their elections from May to November, the County received U.S. Department of Justice approval to be removed from the restrictions of the Voting Rights Act, a permanent absentee voting precinct was established, and the County transitioned to electronic voting equipment in compliance with federal and state laws and regulations; and

WHEREAS, Mr. Hertzler served faithfully as Chairman and Secretary, providing important leadership for the Board; and

WHEREAS, his tireless dedication and service included countless hours of meetings and other participation, seeking to ensure that each citizen was provided his or her constitutional right to vote; and

WHEREAS, Mr. Hertzler's tenure on the Rockingham County Electoral Board ended on January 31, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby recognizes Mr. Hertzler for his selflessness and commitment, and expresses sincere gratitude for his almost twenty-nine years serving the Commonwealth, the County and its citizens.

Chairman Kyger and Supervisor Breeden presented Mr. Hertzler with a framed resolution and thanked him for his many years of service with the Electoral Board.

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INTRODUCTION OF STUDENTS.

Samuel Crockett, a professor at Blue Ridge Community College, two students from the school, and a student from Spotswood High School introduced themselves to the Board.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara's report on the activities of the Transportation Department including the Springbrook Road (Route 1421) bridge; the Transportation Partnership Opportunity Fund (TPOF) grant; routine maintenance such as tree removal and repainting the lane markings.

In response to inquiries from residents near the Airport Road (Route 727) bridge, Mr. Komara stated that at an earlier public hearing the issue of a temporary bridge was discussed, but VDOT officials determined the cost of construction was too great and of limited value since it would be removed upon completion of the permanent bridge. Due to the damage to the bridge last Fall, the replacement of the bridge has been expedited from 2015 to the end of 2013.

Chairman Kyger pointed out that due to the expedited schedule, a portion of the road leading to the bridge may be unfinished until funds are secured.

In response to Supervisor Eberly, Mr. Komara stated the water is approximately 40 feet lower than the bank on one side.

Supervisor Floyd requested another look at the speed limits on Shen Lake Drive (Route 689). He said speeding vehicles make it difficult for traffic to exit the Crossroads Farms subdivision.

Supervisor Breeden requested officials determine if a guardrail will be necessary near the railroad on East Side Highway (Route 340) near MillerCoors due to construction of additional rail siding in that area that has created a steep embankment.

Supervisor Cuevas expressed his appreciation for the relationship between the Board, Mr. Komara, Jeremy Mason, and other VDOT officials in working with the County and its citizens.

Chairman Kyger requested VDOT officials look into an area in Mount Crawford where the speed limit drops from 55 miles per hour to 40 miles per hour and suggested signage to indicate a step down in speed.

Administrator Paxton asked Mr. Komara to check the new paving on Harpine Highway (Route 42) where moisture appears to be getting into the pavement through cracks and determine whether road reflectors are needed.

Mr. Komara requested the Board's consideration for three street additions in the South Breeze Subdivision in the Town of Dayton.

On motion by Supervisor Eberly, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the following resolution:

RESOLUTION

WHEREAS, the street described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Rockingham County; and

WHEREAS, the Area Land Use Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the developer have entered into an agreement for comprehensive stormwater retention as per the Code of Ordinances, Sec. 6C-34, adopted May 28, 2008 which applies to this request for addition; and

BE IT FURTHER RESOLVED, the County agrees that VDOT has no maintenance, upkeep and/or repair responsibility or liability for such stormwater detention facilities except in case of physical damage resulting from road construction projects administered by VDOT. This agreement does not relieve the parties thereto of their rights and obligations pursuant to Stormwater Management Regulations VR215-02-00 et seq. and related state regulations as amended or modified from time to time. Further, the County agrees not to hold VDOT liable for damages resulting from the County's failure to enforce County ordinances and regulations relating to stormwater flow; and

BE IT FURTHER RESOLVED, the County will not seek indemnification or contribution from VDOT to correct damages arising from improper maintenance or construction of stormwater detention facilities; and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, with necessary easements for cuts, fills and drainage as recorded in Plat Book 2991, Page 531, recorded 1st of December, 2006; and

BE IT FURTHER RESOLVED, that the Virginia Department of Transportation will only maintain those facilities located within the dedicated right-of-way. All other facilities outside of the right-of-way will be the responsibility of others; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Area Land Use Engineer for the Virginia Department of Transportation.

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ORDINANCE.

Administrator Paxton discussed with the Board a citizen's request to change the boundary line for the Bergton and Fulks Run voting precincts as directed by changes in the United States Census figures. A proposed ordinance adjusting the boundary line was presented.

Supervisor Cuevas said the boundary line change is practical and he made a motion to approve the proposed ordinance, which was seconded by Supervisor Eberly.

A citizen, who did not identify himself, stated that he was the person who requested the boundary line change and has visited his neighbors to obtain 40 signatures in support of the proposed ordinance. He stated it was a burden for the voters to have to go to a distant precinct to vote when one was closer and more convenient. Many residents that he contacted told him they did not want to vote by absentee ballot and supported the boundary change.

Supervisor Cuevas thanked the citizen for bringing the matter to his attention.

Administrator Paxton said he received a call from the only residents adversely affected by the boundary change and they voiced their opposition. If the ordinance passes, the only alternative for the affected couple would be to vote by absentee ballot.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried

by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized the Registrar to send a letter notifying voters in the affected precincts of a change in voting locations and adopted the following ordinance:

**ORDINANCE REPEALING
AND RE-ENACTING
PORTIONS OF
SECTION 6A-7
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That the designated portions of Section 6A - 7. "Precinct boundaries" be and hereby are repealed and re-enacted as follows:

The descriptions of the Fulks Run Precinct (103) and the Bergton Precinct (104), both in Election District No. 1, are hereby repealed and reenacted as set forth below. All other Districts and Precincts shall remain as described in Section 6A-7.

Section 6A – 7The boundaries of the respective precincts are set forth below. All distances are approximate

Election District No. 1

Fulks Run Precinct (103)

Beginning at the intersection of Brocks Gap Road (State Route 259) with the Rockingham County – West Virginia boundary line; thence in a southeasterly direction with the Rockingham County – West Virginia boundary line to its intersection with the Rockingham – Shenandoah County boundary line; thence continuing in a southeasterly direction with the Rockingham – Shenandoah County boundary line to its intersection with North Mountain Road (State Route 613); thence in a southwesterly direction with North Mountain Road (State Route 613) to its intersection with Brocks Gap Road (State Route 259); thence in a southeasterly direction with Brocks Gap Road (State Route 259) to its intersection with the North Fork of the Shenandoah River; thence in a northwesterly direction with the North Fork of the Shenandoah River to a point 390 yards east-south-east of the intersection of the North Fork of the Shenandoah River with Runion Creek, at the north end of Little North Mountain; thence in a southwesterly direction 3700 yards along the ridge to a point; thence in a northwesterly direction to the 90 degree bend in Winfield Road (State Route 814); thence in a straight line westerly, a distance of 165 yards, to Shoemaker River; thence in a southwesterly direction with Shoemaker River to its intersection with Hopkins Gap Road (State Route 612); thence in a southwesterly direction with Hopkins Gap Road

(State Route 612) to its intersection with Genoa Road (State Route 817); thence in a northwesterly direction with Genoa Road (State Route 817) to its intersection with Buck Lick Run; thence in a northwesterly direction with Buck Lick Run to its intersection with Slate Lick Branch; thence upstream along Slate Lick Branch to its headwaters; thence in a southeasterly direction along the gorge above the headwaters to VEPCO Road (Forest Service Road 420); thence in a northerly direction with VEPCO Road (Forest Service Road 420) to its intersection with Little Dry River Road (State Route 818); thence in a northwesterly direction with Little Dry River Road (Forest Service Road 87) to a point 190 yards southwest of the intersection of Little Dry River Road and Hall Spring Road (Forest Service Route 85); thence in a northeasterly direction to the hairpin turn in German River Road (Forest Service Route 232); thence in a northeasterly direction with German River Road (Forest Service Route 232) to its intersection with the German River; thence in a northeasterly direction with the German River to its intersection with Camp Rader Run; thence southeasterly 340 yards, passing just northeast of the residence having the address 27296 German River Road, to German River Road; thence in a northerly direction with German River Road to its intersection with the German River, which is near where Gobble Mountain Road meets German River Road; thence in a northeasterly direction with the German River to its first close point of approach to Snake Hollow Road; thence in a southeasterly direction with Snake Hollow Road, passing just southwesterly of the two poultry houses on the property having the address of 22947 Snake Hollow Road, and continuing with Snake Hollow Road to its end and the beginning of Blue Hole Road; thence continuing in an easterly and northeasterly direction with Blue Hole Road to the headwaters of Martin Lick Run; thence in a northeasterly direction with Martin Lick Run to its intersection with the North Fork of the Shenandoah River; thence in a southerly and southeasterly direction with the North Fork of the Shenandoah River to its intersection with Capon Run; thence in a northerly direction with Capon Run to its intersection with Bergton Road (State Route 820); thence in a southeasterly direction with Bergton Road (State Route 820) to its intersection with Brocks Gap Road (State Route 259); thence in a northerly direction with Brocks Gap Road (State Route 259) to its intersection with Rockingham County – West Virginia boundary line, the point of beginning.

Bergton Precinct (104)

Beginning at the northernmost corner of Rockingham County on the Rockingham County – West Virginia boundary line; thence in a southeasterly direction with the Rockingham County – West Virginia boundary line to its intersection with Brocks Gap Road (State Route 259); thence in a southerly direction with Brocks Gap Road (State Route 259) to its intersection with Bergton Road (State Route 820); thence in a northwesterly direction with Bergton Road (State Route 820) to its intersection with Capon Run; thence in a southerly direction with Capon Run to its intersection with the North Fork of the Shenandoah River; thence in a northwesterly and northerly direction with the North Fork of the Shenandoah River to its intersection with Martin Lick Run; thence in a southwesterly direction with Martin Lick Run to the headwaters of Martin Lick Run and the closest point of approach to Blue Hole Road; thence in a

southwesterly direction with Blue Hole Road to its end and the beginning of Snake Hollow Road; thence in a northwesterly direction with Snake Hollow Road, passing just southwesterly of the two poultry houses on the property having the address of 22947 Snake Hollow Road, and continuing with Snake Hollow Road to the German River at its first close point of approach to Snake Hollow Road; thence in a southwesterly direction with the German River to its intersection with German River Road, which is near where Gobble Mountain Road meets German River Road; thence in a southerly direction with German River Road to a point 340 yards southeast of the intersection of Camp Rader Run and the German river; thence 340 yards northwest to the intersection of Camp Rader Run and the German River; thence in a southwesterly direction with the German River to its intersection with German River Road (Forest Route 232); thence in a southwesterly direction with German River Road to the hairpin turn; thence following a line from the hairpin turn in a southerly direction to a point in Little Dry River Road (Forest Service Route 87) 190 yards southwest of the intersection of Little Dry River Road and Hall Spring Road (Forest Service Route 85); thence in a northwesterly direction with Little Dry River Road (Forest Service Route 87) to its intersection with the Rockingham County – West Virginia boundary line; thence in a northeasterly direction with the Rockingham County – West Virginia boundary line to the northernmost corner of Rockingham County on the Rockingham County – West Virginia boundary line, the point of beginning.

This ordinance shall be effective from the 14th day of March, 2012.

Adopted the 14th day of March, 2012.

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REPORT – 2012 REPUBLICAN PRESIDENTIAL PRIMARY.

Registrar Douglas L. Geib reviewed with the Board the results of the 2012 Republican Presidential Primary.

In response to Chairman Kyger, Mr. Geib stated with five percent voter turnout in the primary, the cost per vote equaled \$13.

Additionally, Mr. Geib discussed with the Board details about the elections related to the number of poll workers, write-in votes and signatures needed to get on the ballot.

On motion by Supervisor Cuevas, seconded by Supervisor Floyd and carried by a vote of 4 to 0 to 1, voting recorded as follows: BREEDEN - ABSTAIN; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the following:

ABSTRACT OF VOTES

cast in the County of Rockingham , Virginia, at the March 6, 2012 Republican Presidential Primary Election for:

PRESIDENT

<i>NAMES OF CANDIDATES</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Mitt Romney	<u>1213</u>
Ron Paul	<u>1037</u>
Total Number of Overvotes for Office	<u>0</u>

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Administrator Paxton's staff report dated March 9, 2012.

Administrator Paxton requested the Board's direction for the upcoming Metropolitan Planning Organization Policy Board meeting on March 15, 2012 when the Policy Board would consider approving the 2035 Long-Range Transportation Plan. He stated that the Plan's transportation projects were consistent with the County's plans and many of the roads were conceptual and long-range without funding sources. The reason the conceptual roads are in the Plan is to assist the Board when making land use decisions. If development occurs in those areas, the conceptual road projects will need to be funded and constructed or partially funded by developers. The Board may use the Plan to approve or deny development. Administrator Paxton stated the Board needed to determine how to proceed with supporting the 2035 Long-Range Transportation Plan.

In response to Supervisor Floyd, Administrator Paxton said the Plan under consideration the next day, had not changed since the last MPO Policy Board meeting.

Chairman Kyger said the Board needed to direct its representatives to support the MPO's transportation plan, which was consistent with the County's Comprehensive Plan.

During a brief discussion, Administrator Paxton stated some City and County residents wanted the MPO Policy Board to take roads out of the plan and the question

to consider was should it be the role of the MPO Policy Board to remove roads in the County or should the Board of Supervisors' be the policy body with the responsibility to remove roads as part of the Comprehensive Plan process. He reminded the Board that any road in the County cannot be built without the Supervisors' approval.

Chairman Kyger called it a "philosophical" issue over who should be responsible for dictating local land use.

Supervisor Cuevas made the following motion:

To instruct our County Administrator and Chairman of the Board to draft a position letter clearly stating the position of the Rockingham County Board of Supervisors: That it is the responsibility of the Board of Supervisors to determine which roads should be included and that the MPO plan should reflect.

Supervisor Eberly seconded the motion.

Administrator Paxton stated this was not a discussion about whether certain roads should be in the Plan or not, but this was about who should make that decision and what process we should go through to make these decisions. The County's roads that will actually be constructed are those included in the VDOT Six-Year Plans, all others are conceptual.

Carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board instructed the County Administrator and Chairman of the Board to draft a position statement that the County's position is that it is the responsibility of the Board of Supervisors, not the MPO Policy Board, to determine which County roads are included in the plan.

Supervisor Floyd requested a point of order and questioned if, as a member of the MPO, he should have voted or abstained.

Chairman Kyger stated he was a member of the Board of Supervisors who serves as a member of the MPO, but would call for another vote if requested.

Supervisor Floyd requested a second vote and clarification on the motion.

Supervisor Cuevas restated his motion and Administrator Paxton clarified that the motion was for the following:

The County Administrator and Chairman of the Board prepare a statement on behalf of the Board of Supervisors that indicates the County wants to retain its authority to determine the road plan for Rockingham County and that the Plan approved by the MPO, as least as it pertains to Rockingham County, should be

consistent with the plan approved by the Board of Supervisors and the County's Comprehensive Plan.

Supervisor Breeden seconded the motion.

Chairman Kyger said they were instructing the MPO Policy Board to accept the draft plan as it follows the County's Comprehensive Plan and Six-Year Transportation Plan for primary and secondary roads. The action was to direct the County's MPO members to support the County's position.

Carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board instructed the County Administrator and Chairman of the Board to prepare a statement on behalf of the Board of Supervisors that indicates the County wants to retain its authority to determine the road plan for Rockingham County and that the Plan approved by the MPO, as least as it pertains to Rockingham County, should be consistent with the plan approved by the Board of Supervisors and the County's Comprehensive Plan.

Administrator Paxton stated that staff has started preliminary work on the House version of the budget due to the absence of an approved budget from the General Assembly. Two meetings were set, March 22, 2012 at 12:30 p.m. for the Finance Committee and March 26, 2012 at 6 a.m. for the Board in order to meet advertising requirements for the public hearing on the budget for April 11, 2012 at Broadway High School. The County must pass a budget by May 1 to allow the school system to issue contracts and the 1st half real estate bills to be issued.

Administrator Paxton introduced a draft letter to the George Washington National Forest, which is undergoing a new forest management plan. He outlined the Board's support, in part, of the stakeholders group's proposal for a combination of active management and Wilderness Area on Beech Lick Knob in an area currently classified as Potential Wilderness.

The Board did not choose to support the National Scenic Area proposed for the Shenandoah Mountain area.

This letter supports the concept proposed and asks that further discussion continue among those who are most directly impacted.

Supervisor Cuevas said he was proceeding with caution. He stated in his meetings with the stakeholders group, it was difficult to get specific answers about the

designations of “National Scenic Areas” and “Potential Wilderness,” including the restrictions on those areas and the authorized uses. He was additionally concerned that when active management was allowed, who was going to dictate where loggers go, what they were allowed to cut, who was allowed to cut and what happens if loggers are sent to cut “unworthy” trees.

Chairman Kyger said he served on the National Association of Counties Steering Committee for Public Lands and said other jurisdictions faced similar issues. He advised to move slowly and be cautious of the agendas of national and international groups that may have additional motivations. Through talking to people in his District that border the George Washington National Forest, he has found they also want to proceed slowly and are interested and concerned.

On motion by Supervisor Eberly, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board directed the Chairman to sign a letter to Kenneth Landgraf, Forest Manager, of the George Washington National Forest which outlined the Board’s support, in part, of the stakeholders group’s proposal for a combination of active management and Wilderness Area on Beech Lick Knob in an area currently classified as Potential Wilderness.

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COUNTY ATTORNEY’S STAFF REPORT.

Mr. Miller discussed with the Board a planned work session March 28, 2012 at 3 p.m. to discuss vehicle access to remote residential development parcels.

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DEPUTY COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. King’s staff report dated March 9, 2012, which included information on the potential construction of a garage and storage building on the Fire Station No. 4 property on Port Republic Road. Staff and the Public Works Committee will solicit design build proposals for the site and bring their recommendations back to the Board.

Supervisor Cuevas requested a meeting with staff to determine recreation facility improvements.

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FINANCE DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mr. Allmendinger's staff report dated March 2, 2012 including a request to declare several items surplus to allow the items to be sold or otherwise disposed.

On motion by Supervisor Breeden, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board declared the following list of items surplus and instructed the Finance Director to sell or dispose of the items:

Dispatch Unit for old radio system
Metal Detector – not functioning
Headlight Tester
Refrigerant Recovery System
Gateway Monitor
5 rolling file drawer carts
4 Stainless Steel Kitchen Carts
2004 Gravely Zero Turn, Model PM260, serial number 000747
1150G Case Dozer JIG0218346 New engine as of 4/4/03:# DCE0008319
Duratek 10' Tub Grinder Model 3010 Serial #:50-2-CJ-3013 Engine Serial #:BEM01896

Vehicles:

County #	Description	Vin #
2154	2001 Jeep Cherokee (parts)	1J4FF48S91L526546
2033	2000 Ford Crown Victoria	2FAFP71W1YX195384

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FINANCE COMMITTEE

Administrator Paxton stated the Finance Committee recommends that the Board authorize the issuance of 2012 bonds in an amount not to exceed \$1,700,000 to refund the 2005 and 2007 Rural Development Bonds. He stated a public hearing is necessary for Wednesday, March 28, 2012 at 7:00 p.m. to discuss the matter and set a meeting of the Smith Creek Water and Waste Authority and the Penn Laird Sewer Authority to discuss the refund. The Finance Committee reviewed a proposal from SunTrust Bank for a 2.66 percent loan for 15 years. This loan would replace the current outstanding loans with interest rates averaging 4.25 percent. The estimated savings is 19.6 percent or approximately \$900,000, he said.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized the County Administrator to advertise a meeting and public hearing for the Smith Creek Water and

Waste Authority and the Penn Laird Sewer Authority to consider refunding the 2005 Rural Development Bonds in the amount of \$1,333,000 for Smith Creek Water and Waste Authority and the 2007 Rural Development Bonds in the amount of \$382,800 for the Penn Laird Sewer Authority.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized the County Administrator to instruct the County Treasurer to refund \$13,895.56 to the United States Internal Revenue Service.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the following supplemental appropriations as recommended by the Finance Committee:

**HARRISONBURG – ROCKINGHAM SOCIAL SERVICES DISTRICT FUND
AND COMPREHENSIVE SERVICES ACT (CSA)**

Social Services – Federal Adoption

A supplemental appropriation of \$192,166 for adoption subsidy. Funding is provided by state and federal assistance and requires no local match.

Supplemental Appropriation: \$192,166

\$192,166	GL Code: 220-05302-200-5721-000	Federal Adoption Subsidy
\$ 96,083	GL Code: 220-02401-0100	Public Assistance - State
\$ 96,083	GL Code: 220-03303-0100	Public Assistance – Federal

Social Services - Verizon

A supplemental appropriation of \$2,685 for payment to Verizon for the balance on the Verizon WAN account including early termination of the service. Funding would be provided from the Social Services Fund Reserve.

Supplemental Appropriation: \$2,685

\$2,595	GL Code: 220-05301-300-5203-000	Telecommunications – Administration
\$ 90	GL Code: 220-05332-300-5203-000	Telecommunications – RTP
\$2,685	GL Code: 220-05201-0100	Social Services Fund Reserve

CSA - Verizon

A supplemental appropriation of \$30 for payment to Verizon for the balance on the Verizon WAN account including early termination of the service. Funding would be provided from the CSA Fund Reserve.

Supplemental Appropriation: \$30

\$15	GL Code: 225-05318-100-5203-000	Telecommunications – County
\$15	GL Code: 225-05318-200-5203-000	Telecommunications – City
\$30	GL Code: 225-05201-0100	CSA Fund Reserve

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the following supplemental appropriations as recommended by the Finance Committee:

GENERAL FUND

Fire and Rescue

A supplemental appropriation of \$1,000 to purchase a laptop for the Mobile Command Unit. Funding has been provided by a donation from Wal-Mart Distribution Center for this purpose.

Supplemental Appropriation: \$ 1,000

\$ 1,000	GL Code: 001-03201-000-6065-000	Minor Equipment
\$ 1,000	GL Code: 001-01899-0300	Gifts and Donations

Public Works

A supplemental appropriation of \$5,383 for part-time employee funding to cover maintenance in the absence of a full-time employee. Funding would be provided from the General Fund Reserve.

Supplemental Appropriation: \$ 5,383

\$ 5,000	GL Code: 001-04302-000-1300-000	Part-time salaries
\$ 383	GL Code: 001-04302-000-2100-000	FICA
\$ 5,383	GL Code: 001-05201-0100	General Fund Reserve

Information Technology

A supplemental appropriation of \$16,308 for payment to Verizon for the balance on the Verizon WAN account including early termination of the service. Funding would be provided from the General Fund Reserve.

Supplemental Appropriation: \$16,308

\$ 8,163	GL Code: 001-01220-000-5203-000	Telecommunications - IT
\$ 2,715	GL Code: 001-04304-000-5203-000	Telecommunications - Courthouse
\$ 2,715	GL Code: 001-04310-000-5203-000	Telecommunications – District Court
\$ 904	GL Code: 001-04311-000-5203-000	Telecommunications – Sheriff’s Bldg
\$ 1,811	GL Code: 001-03302-000-5203-000	Telecommunications - Jail
\$16,308	GL Code: 001-05201-0100	General Fund Reserve

Recreation

A supplemental appropriation of \$13,900 for Valley Engineering to complete the Willow Springs Master Plan. Funding would be provided from the contingency fund.

Supplemental Appropriation: \$13,900

\$13,900	GL Code: 001-07104-000-3109-000	Professional Services
(\$13,900)	GL Code: 001-09110-000-5800-000	Contingency Fund

Fire and Rescue

A supplemental appropriation of \$26,000 to purchase a heavy-duty truck to pull the hazardous materials trailers. Funding will be provided by the Virginia Department of Emergency Management (VDEM) through a homeland security grant and no local funding is required.

Supplemental Appropriation: \$26,000

\$23,000	GL Code: 001-03201-100-8005-000	Vehicles
\$ 3,000	GL Code: 001-03201-100-6065-000	Minor Equipment
\$26,000	GL Code: 001-03900-4000	Homeland Security Grant

Fire and Rescue

A supplemental appropriation of \$3,188 to purchase a Smart Dummy Drill Package for training. Funding will be provided by the Virginia Department of Fire Programs through a training grant, and no local funding is required.

Supplemental Appropriation: \$3,188

\$3,188	GL Code: 001-03201-000-6065-000	Minor Equipment
\$3,188	GL Code: 001-02404-9900	Other State Funds

Administrator Paxton stated staff recommended the Board enter into the same cooperative purchase agreement used by the County Schools to contract with Stand Energy for natural gas.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized the County Administrator to enter into the same contract as the County Schools with Stand Energy for natural gas.

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HUMAN RESOURCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Riddlebarger's staff report dated March 14, 2012.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Hertzler's staff report dated March 14, 2012, including a request to purchase a Grasshopper 430D for the same price paid for a mower purchased in fiscal year 2012 following a formal bidding process and sell the old mower to the City's Police Department.

On behalf of the Public Works Committee, on motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized the following:

The Director of Public Works to purchase a Grasshopper 430D for \$13,785 from Kreider Four Seasons Equipment, Inc., and declared the 2004 Gravely Zero Turn, Model PM260, serial number 000747 surplus. The Board authorized its sale to the Harrisonburg Police Department for \$2,500. Funding for the mower would come as a supplemental appropriation from the contingency account;

The County to discontinue a Virginia Rural Water Association program to waive the trash collection fees associated with the cleanup of sinkholes until grant money is available for the program; but will continue to hold cleanup days at the landfill twice a year for residents to collect household bulk items such as furniture.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Vaughn's staff report dated March 14, 2012.

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INFORMATION SYSTEMS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Perry's staff report dated March 2012.

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FIRE AND RESCUE CHIEF'S STAFF REPORT.

The Board received and reviewed Chief Symons' staff report dated March 5, 2012, including a burn ban in effect after 4 p.m.

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RECREATION DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. McQuain's staff report dated March 2012.

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APPOINTMENT.

Supervisor Breeden recommended Dr. Steven Pence of McGaheysville for appointment to the Planning Commission to represent District 5.

On motion by Supervisor Breeden, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board appointed Dr. Steven Pence to the Planning Commission to represent District 5. He will serve an unexpired term that ends August 31, 2012 at which time he is eligible for reappointment for a

four-year term.

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RECESS.

At 5:10 p.m., Chairman Kyger declared the meeting recessed for dinner.

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RECONVENE MEETING.

At 6:03 p.m., Chairman Kyger reconvened the regular meeting:

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PUBLIC HEARING –BROADWAY LIBRARY SALE.

At 6:05 p.m., Chairman Kyger opened the public hearing regarding the Board's intent to sell the parcel of land known as tax parcel 51A1-(A)-50, with all improvements thereon, commonly referred to as the Village Library, to the Town of Broadway for \$40,000.

Supervisor Cuevas stated the sale was in response to the Library Board's request for more space, which coincided with the Town of Broadway's desire for additional space and he felt it was a desirable action to take at this time.

No one spoke in opposition.

Chairman Kyger closed the public hearing at 6:08 p.m. and reconvened the regular meeting.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board agreed to sell tax parcel 51A1-(A)-50 with all improvements thereon, located on Central Street in the Town of Broadway and currently home to the Village Library, to the Town of Broadway for \$40,000, in accordance with all the terms and conditions previously agreed upon and requested the County Attorney prepare a deed of sale for the transaction.

Supervisor Eberly said the sale would meet a need for the Library, the Town of Broadway and its Police Department.

Supervisor Cuevas requested the Library send the Board a brief report to show compliance with the agreement such as the final payment on utility costs.

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PUBLIC HEARING - SPECIAL-USE PERMITS.

Chairman Kyger reconvened the public hearing at 6:11 p.m. and Ms. Stultz reviewed the following special-use permit:

SUP-005 Carl M. & Marianne D. Hinkle, 1510 Glenside Drive, Harrisonburg for a residence involving a division of land on property located on the north side of Jacksons Way (Route 995) approximately 1 mile north of S. East Side Highway (Route 340); Election District #3; Zoned A-1; Tax Map #152-(A)-96A. Property address: 9633 Jacksons Way.

Ms. Stultz reviewed the request for a non-family division on A-1 zoned land. When the applicants purchased the property in 1995 they intended to join the property to other property they owned, but the applicants did not get subdivision approval at the time. In 2011, when the error was discovered, they submitted a deed to the County making it one parcel.

Now that the residents have moved and have tried unsuccessfully to sell the five-acre property, they are seeking to divide the parcel into two parcels and would need a subdivision variance because according to the County Code, any land obtained through an adjoining transfer cannot be part of a division for a period of five years. Since, the same agencies that review the special-use permit request also review the subdivision variance, there are no objections and Ms. Stultz, as the Subdivision Agent, recommended approval of the waiver and suggested that it be a condition of the special-use permit, if approved.

The applicants were present and in favor of the request.

No one spoke in opposition to the request.

SUP-014 Pilot Travel Centers, LLC, c/o Jack R. Wilson, III, 9401 Courthouse Road, Suite 204, Chesterfield, VA 23832 for a sign package (increase in sign height of one sign and an increase in total square footage for signs) on property located on the east side of North Valley Pike (Route 11) approximately 6/10 mile north of Windy Knoll Drive (Route 963); Election District #2; Zoned B-1; Tax Map #95-(5)-1 and 1A and Tax Map #95C-(8)-B2-Lots 27-33.

Ms. Stultz reviewed the request for the travel center sign package which increased the sign height for one sign and increased the total square footage of signs on the property. At least one sign is taller than permitted. The increase in sign height would allow greater visibility and future signage should VDOT want to provide travel information to truck drivers during inclement weather or emergency events.

The Board took similar action for the Rockingham Memorial Hospital sign package in 2009, Ms. Stultz said.

Chairman Kyger said the proposed signage was attractive and explained how important the appearance of the travel center was as this area is the gateway to the County's Research and Technology Park.

Jack Wilson represented the applicant and answered questions from the Board. He indicated the travel center could be open as soon as the end of summer. He thanked staff for their assistance.

Kim Sandum asked for the size of the sign under discussion.

Mr. Wilson responded that the sign post was 100 feet tall and contains three signs: Pilot Travel Centers, Subway and fuel pricing; which are almost 23 feet. Additional room on the sign is designated for a VDOT message board.

No one spoke in opposition.

SUP-024 Paul Evans Hensley, Jr. & Victoria A. Hensley, 8485 S. East Side Highway, Elkton for a public garage on property located on the north side of Spotswood Trail (Route 33) approximately 1400' east of Walking Horse Lane (private); Election District #5; Zoned A-2; Tax Map #129-(A)-196. Property address: 13235 Spotswood Trail

Ms. Stultz reviewed the request for a public garage in A-2 and indicated that VDOT will require a commercial entrance and a left-turn lane on Spotswood Trail (Route 33) and the Health Department will require a septic and well (separate from that used for the dwelling) for the business.

No one spoke in favor or in opposition to this request.

Chairman Kyger closed the public hearing at 6:33 p.m. and reconvened the regular meeting.

Supervisor Breeden stated the Hinkle request was similar to an estate sale as they had been trying to sell the property as a whole for a long time.

On motion by Supervisor Floyd, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board, subject to the following conditions, approved SUP-005, Carl M & Marianne D. Hinkle, 1510 Glenside Drive, Harrisonburg for a residence involving a division of land on property

located on the north side of Jacksons Way (Route 995) approximately 1 mile north of S. East Side Highway (Route 340); Election District #3; Zoned A-1; Tax Map #152-(A)-96A. Property address: 9633 Jacksons Way; including a waiver for the subdivision variance:

CONDITIONS:

1. Use shall be located in substantial accordance with plot plan as approved.
2. Any residence constructed shall comply with the Virginia Uniform Statewide Building Code, and the proper permits shall be obtained.
3. This permit is contingent upon the Health Department approval of an on-site sewage disposal system and water supply system prior to construction of any residence.
4. A private entrance permit shall be obtained from VDOT for the new parcel prior to construction of a residence on that property.
5. Neither the existing residence nor any residence constructed shall be used for rental purposes.
6. Any residence constructed shall not be occupied until such time as a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.
7. As a part of the approval of the special use permit, the requirement for a variance to the subdivision ordinance is hereby waived.

On motion by Supervisor Eberly, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board, subject to the following conditions, approved SUP-014, Pilot Travel Centers, LLC, c/o Jack R. Wilson, III, 9401 Courthouse Road, Suite 204, Chesterfield, VA 23832 for a sign package (increase in sign height of one sign and an increase in total square footage for signs) on property located on the east side of North Valley Pike (Route 11) approximately 6/10 mile north of Windy Knoll Drive (Route 963); Election District #2; Zoned B-1; Tax Map #95-(5)-1 and 1A and Tax Map #95C-(8)-B2-Lots 27-33:

CONDITIONS:

1. Signs shall be located in substantial accordance with plot plan as approved.
2. Signs shall comply with the Virginia Uniform Statewide Building Code, and the proper permits shall be obtained.

3. Applicant shall work with Community Development staff to amend the site plan to show the location of the signs.
4. Approval is for the sign package presented at this time. Any additional signs shall meet the Rockingham County Codes, and further special use permit approval shall be required for additional signs if so specified by the Code.
5. All signs shall be located so as not to impede sight distance for vehicles exiting the subject property.
6. This special use permit approval shall include any future signs required by the County or VDOT for safety purposes without further special use permit approval.

On motion by Supervisor Breeden, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board, subject to the following conditions, approved SUP-024, Paul Evans Hensley, Jr. & Victoria A. Hensley, 8485 S. East Side Highway, Elkton for a public garage on property located on the north side of Spotswood Trail (Route 33) approximately 1400' east of Walking Horse Lane (private); Election District #5; Zoned A-2; Tax Map #129-(A)-196. Property address: 13235 Spotswood Trail:

CONDITIONS:

1. Use shall be located in substantial accordance with plot plan as approved.
2. Building shall comply with the Virginia Uniform Statewide Building Code, and the proper permits shall be obtained.
3. Approval of a sewage disposal system and water supply shall be obtained from the Health Department. Applicant shall hire a private consultant to perform the evaluation and design. Drinking water from the private well shall not be offered to the public.
4. A commercial entrance permit shall be obtained from VDOT and shall be installed and improved prior to applicant obtaining a certificate of occupancy for the building.
5. This permit is contingent upon a site plan being submitted to and approved by the County. No permits shall be issued by the Department of Community Development and no work shall be done on the property until such time as a site plan is approved.
6. All work shall be done inside the building.

7. There shall be no accumulation of junk, trash, and debris allowed to accumulate on the property, and there shall be no junked vehicles allowed to accumulate on the property.
8. There shall be no more than five vehicles either awaiting repair or waiting to be picked up following repair allowed outside the building at any one time.
9. On-premise advertising sign shall comply with the Rockingham County Code, and a permit shall be obtained for any sign.
10. There shall be no off-premise signs allowed unless all County and VDOT requirements for outdoor advertising signs are met.
11. Off-street parking shall comply with the Rockingham County Code, and there shall be no parking on VDOT's right-of-way.
12. The business shall not begin operation until a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

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COMMITTEE REPORTS.

AIRPORT

The Board's trip to Dynamic Aviation and Shenandoah Valley Regional Airport has been rescheduled for May 9, 2012 beginning at noon.

NATIONAL ASSOCIATION OF COUNTIES (NACo)

Chairman Kyger announced he and Administrator Paxton attended the NACo Annual Legislative Meeting held in Washington, D.C. The national conference will be held in Pittsburgh, Pennsylvania in July.

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CLOSED MEETING.

On motion by Supervisor Breeden, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board recessed the meeting from 6:42 p.m. to 7:10 p.m., for a closed meeting pursuant to Section 2.2-3711.A(3), Discussion or consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or

negotiating strategy of the public body; (5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; (7), Consultation with legal counsel and staff members pertaining to actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County; and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

MOTION: SUPERVISOR EBERLY
SECOND: SUPERVISOR FLOYD

RESOLUTION NO: 12-3
MEETING DATE: MARCH 14, 2012

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Rockingham County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board of Supervisors.

VOTE:

AYES: BREEDEN, CUEVAS, EBERLY, FLOYD, KYGER

NAYS: NONE

ABSENT:

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ADJOURNMENT.

Chairman Kyger adjourned the meeting at 7:11 p.m.

_____,
Chairman

